

Administrative Office of the Courts

Supreme Court of New Mexico

Arthur W. Pepin, Director
Patrick T. Simpson, Deputy Director



237 Don Gaspar, Room 25
Santa Fe, NM 87501
(505) 827-4800
(505) 827-4824 (fax)

New Mexico Language Access Advisory Committee Agenda- Friday, November 14, 2014

9:00 a.m. – Noon

The meeting will be video-conferenced from the Grand Jury Room 301 at the Second Judicial District Court in Albuquerque. Other video-conference sites are: Fifth Judicial District Court, Roswell; Doña Ana Magistrate Court, small conference room; and Fourth Judicial District Court, Las Vegas.

To attend by Teleconference: 1-888-757-2790; passcode 710572

1. Introductions & Welcome
2. Approval of the Agenda
3. Approval of the Minutes of September 12, 2014 (See attached)

UNFINISHED BUSINESS

4. Qualifying Interpreters for Court-Ordered Services: Pam Sánchez
5. Follow-up on Web-based Scheduling and Invoicing Process: Pam Sánchez
6. Follow-up on Interpreter Contract Issues: Artie Pepin

NEW BUSINESS

7. Membership Recommendations for 2105: Judge Kugler and Judge Nash
8. 2015 Meeting Schedule (see attached)

REPORTS

9. Update from Literacy Challenges Workgroup: Lisa Dignan

10. Language Access Training for Attorneys: Barbara Creel
11. Update on Bench Card: Pam Sánchez

Next Meeting: January 9, 2015, 9:00 a.m. – Noon
Third Floor Conference Center
Second Judicial District Court
400 Lomas NW
Albuquerque, NM

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New Mexico Language Access Advisory Committee Minutes – September 12, 2014

Members Present:

Barbara Shaffer
Amy Lovekin
Catalina Ybarra
Magdalena Giron
Arthur Pepin
Catalina Ybarra
Lisa Dignan
Alex Araiza
Anna Lujan
Blanche Charles
Honorable Darren Kugler
Honorable Nan Nash
Jesús Sifuentes
Barbara Creel

Members Absent:

Renee Valdez
Honorable Edward Chávez

AOC Staff:

Pam Sánchez
Alex Araiza
Charlie Maldonado
Anabel Vela
Aimee Rivera
Peggy Cadwell

Guests:

Andrea Cutter
Pip Lustgarten
Melissa Jameson
Rose Marie de Leon Garcia
Elizabeth Mayes
Lisa O'Grady
Laura Lynch

1. Introductions & Welcome: Co-Chair, Nan Nash, called the meeting to order at 9:05 a.m. and a quorum was established.
2. The Agenda was approved the addition of: Literacy Challenges Working Group.
3. The Minutes of the July 11, 2014 meeting were moved for approval by Anna Lujan/seconded by Magdalena Giron and approved unanimously.
4. Proposed Changes to the Uniform Jury Instructions: Honorable Darren Kugler Judge Kugler reported on a conversation between LAAC members and Justice Chávez regarding the LAAC's input on proposed UJI changes impacting interpreters. The Court, based on input received, did make minor changes to the proposed instructions and was seeking any additional comments. After discussion it was clarified that the purpose of the instruction is to provide

direction to the judge as to how to handle questions that may be brought forward by jurors regarding the interpretation in a way that is respectful of the interpreter's role as an officer of the court. It was also noted that the instruction references the qualifications of the interpreter and may be used by the interpreter if there are subsequent questions regarding the interpretation.

The revised proposed instruction was moved for approval by Honorable Nan Nash, seconded by _____ with the following change: that "signed languages" be inserted in the referenced note at the bottom of the page. The Motion was approved unanimously.

5. Interpreter Issues and Travel Time during Periods of Guaranteed Pay: Arthur Pepin, AOC Director

Mr. Pepin discussed his understanding of the interpreters' concerns regarding AOC's procedures for deducting guaranteed time from travel time. He indicated that most state courts do not pay travel time and that it is not possible for the AOC as a steward of public funds to pay interpreters both their guaranteed interpreting rate and travel rate for the same period of time. He comments on written input he had received and listened to the perspective of several interpreters in attendance, including those serving on the LAAC.

The primary point made by those addressing the issue was a concern that both travel to an assignment and travel back from an assignment were considered when payable travel time was recalculated to subtract guaranteed pay. Mr. Pepin acknowledged this was really the only point that might be open for reconsideration.

It was moved by Nan Nash and seconded by Barbara Shaffer that this item be on the November agenda and subsequent agendas until resolved. The motion was passed by consensus.

6. Update on Web-Based Scheduling and Invoicing Process: Pam Sánchez

Pam reported that there continue to be serious issues regarding the speed of the Gridcheck system and that the AOC has looked again at another vendor. However, the decision has been made to stick with Gridcheck pending the move to its version 3. Should the speed of the system not improve and/or invoicing through the system remain a problem, a change in vendor might be considered.

It was moved by Nan Nash and seconded by Barbara Creel that this item be on the November agenda and subsequent agendas as an ongoing update. The motion was passed by consensus.

7. Language Access Plans - Report on Current Updates: Pip Lustgarten

Pip reported that there are 17 court-specific language access plans (several by region) and a statewide plan. In recent weeks, 12 of the 17 have been updated with the assistance of AOC. She indicated that there is increasing support and energy surrounding the planning process and ensuring the quality of language access services. Language access has become integral to the

culture of the NM state courts. Data collection outside the courtroom has been simplified going forward and plans are emphasizing the need for annual language access training. Pip continues to work with courts to encourage language access specialist certification for qualified bilingual employees and this emphasis along with the statewide planning being done regarding translation of documents are key to the courts' Title VI compliance efforts.

8. Literacy Challenges Working Group: Lisa Dignan and Pip Lustgarten

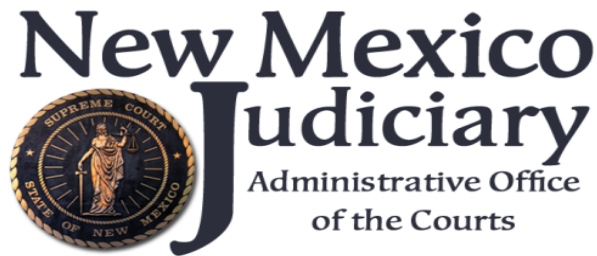
Lisa and Pip shared the updated membership roster (see attached) for LAAC approval. Approval was moved by Jesús Sifuentes, seconded by Magdalena Giron and approved unanimously.

9. Language Access Symposium and Interpreters Conference: Lisa Dignan

Lisa reported that registrations for both the symposium and conference, around 130 total, are slightly lower than last year, but still encouraging. The conference focuses on building cultural awareness and a highlight of the conference are the two opening panels. The first panel comprised of individuals, e.g. patient, party in a court proceeding, parent, who has used interpreters to receive services and the second panel of professional "consumers" of interpreter services, e.g., judge, doctor, teacher, attorney. Eileen Spoonhoward has recruited the diverse array of panelists and the professional panel is being moderated by Judge Darren Kugler.

10. The meeting was adjourned at 10:55 a.m.

11. **NEXT MEETING: Friday, November 14th, 9:00 a.m. – Noon**



**New Mexico Language Access Advisory Committee
2015 Meeting Schedule**

Second Judicial District Court
Third Floor Conference Center
400 Lomas NW, Albuquerque, New Mexico

All Meetings: 9:00 a.m. – Noon

Available by Teleconference and Video-Conference

January 9, 2015

March 13, 2015

May 8, 2015

July 10, 2015

September 11, 2015

November 13, 2015

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NEW MEMBER ORIENTATION

January 8, 2015
2:00 p.m. – 4:00 p.m.